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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Sanchez et al.

Serial No.: 09/753171

Control No.: 9702

Filed: December 29, 2000

Attention:

**Paul Shanoski**  
 Senior Attorney  
 Office of Petitions

**RECEIVED**

JUL 19 2006

**OFFICE OF PETITIONS**Relates to:

Patent No.: 5,635,235

Patented: June 3, 1997

Reissued as: RE37008

Reissued: January 2, 2001

From: 09/325122

For: METHODS FOR HANDLING MASA

June 26, 2006

Irvine, California

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 13 JUL 1 2006

International Division  
 Legal Staff Division

**Renewed Petition Under 37 C.F.R § 1.47(a)**

Mail Stop Petition  
 Commissioner for Patents  
 United States Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**Attn: Paul Shanoski, Office of Petitions**

Dear Sir:

Petitioner Casa Herrera, Inc. is in receipt of the Decision on Petition mailed on June 21, 2006.

Petitioner is the owner by assignment of the above-noted patent that is the subject of the above-entitled reissue application.

Petitioner gratefully acknowledges the Decision's confirmation that Petitioner has complied with almost all of the requirements of 37 C.F.R. § 1.47(a). The only noted omissions are the submission of: (1) executed assignments from the inventors to the petitioner; and (2) the written consent of Petitioner as an assignee of the entire interest.

In particular, at page 3, the Decision notes that the electronic file has been reviewed, but "it does not appear to contain an executed assignment from these inventors" and "it does not appear that the written consent of an assignee of the entire interest ... has been provided".

Upon close examination, however, it appears that these documents are already in the electronic file record. Though they are undoubtedly hard to find given the size of the file which was recently reconstructed, combined with their unfortunate inclusion in a multi-page document having a title that does little to suggest their presence, they are indeed there. In particular, the documents believed to be missing are located within the following file that is visible on Public PAIR as follows:

Mail Room Date	Document Description	Document Category	Page Count
12-29-2000	Oath or Declaration filed	PROSECUTION	25

In even more detail, the following two documents can be found with the above 25-page document at the following page locations:

Pages 3-10 Assignee's statement of authority, aka "Statement Under 37 CFR 3.73(b)", and actual copies of the underlying assignments<sup>1</sup> from the inventors – to the first assignee – to Petitioner

Pages 11-12 Written Consent of Assignee (the herein Petitioner)

Based on the foregoing, Petitioner respectfully submits that its Petition Under 37 C.F.R § 1.47(a) is in condition for a favorable decision that would return the file to the Examiner for review and allowance in light of the Board's decision on its appeal.

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<sup>1</sup> The first assignment from the three inventors to Machine Masters, Inc. was recorded at reel 7069, frame 592, and the second assignment from Machine Masters, Inc. to Casa Herrera, Inc. was recorded at 9950, frame 534.

The undersigned attorney invites Petitions Attorney Paul Shanoski to call if it appears that a telephone conference would further this case in any way.

Respectfully submitted,



Dated: 6/26/06

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**Certificate of Express Mailing under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.10 on the date shown below with sufficient postage as Express Mail # EV767074525US and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: June 26, 2006

  
Eric Hoover